



The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner  
January 31, 2006

The Honorable Pamela D. Coughlin, Chairman  
State-Federal Relations and Veterans Affairs Committee  
Legislative Office Building - Room 303  
Concord, NH 03301

**RE: House Concurrent Resolution 21 Urging The Department Of Homeland Security To  
Study New Hampshire's Northern Border And Protection To Our Dam Network.**

Dear Chairman Coughlin:

Thank you for the opportunity to comment on this proposed resolution which would urge the U.S. Department of Homeland Security to study New Hampshire's northern border and the need to protect the network of dams nearby.

There are several major dams near the northern border of New Hampshire. In the headwaters of the Connecticut River, TransCanada owns and operates the dams that impound the First and Second Connecticut Lakes, and the State of New Hampshire owns and operates Murphy Dam, which impounds Lake Francis. If either First or Second Connecticut Lake were to fail, the contents of those lakes could be stored within Lake Francis without causing Murphy Dam to overtop. Therefore, those two dams do not pose a significant hazard to life or property downstream. However, if Murphy Dam were to fail, it would cause probable loss of life and significant flooding along the Connecticut River as far away as Lancaster.

Near the northeastern part of the state, in the headwaters of the Androscoggin River Basin, the major dams are located in Maine. These include Aziscohos Lake and the Upper and Middle Reservoir Dams, all of which are owned and operated by Florida Power and Light Company (FPL). Failure of any of these dams would cause significant property damage along the Androscoggin River to Berlin.

Because of the potential of these dams to cause loss of life and property damage if they were to fail, the state's Murphy Dam and all three of FPL's dams are required to have updated Emergency Action Plans (EAPs) which provide (1) pre-planned emergency actions to be taken upon indication of any problems with the dam, including security breaches, (2) a notification plan to effectively notify and evacuate the potentially affected downstream communities, and (3) information on the potential extent of downstream flooding. It has been shown that the effects of dam failures can be mitigated by having up-to-date EAPs. In addition, each of these dams is staffed by a full time dam operator who lives at the dams and provides a higher degree of security than that provided at most other dams in the state. Following the attacks of September 11, the state performed a preliminary vulnerability assessment of Murphy Dam and improved security



awareness at the site. Likewise, the Federal Energy Regulatory Commission has required FPL to complete security plans, security assessments, and vulnerability assessments at the dams that they regulate.

Regarding the issue of border security, the United States and Canadian governments have focused a great deal of attention on their shared border in the aftermath of September 11. In December 2001, the U.S. and Canada signed a Smart Border Declaration, with a 32-point Action Plan, to promote legitimate travel and commerce across the U.S.-Canadian border while protecting both countries from crime and terrorism. On March 23, 2005, the U.S., Canada, and Mexico entered into an unprecedented trilateral initiative, the Security and Prosperity Partnership of North America (SPP). The SPP establishes a common security strategy to protect North America from external threats, prevent and respond to threats within North America, and further streamline the secure and efficient movement of legitimate, low-risk traffic across shared borders. A Security Action Plan was developed to implement the SPP initiative, which utilizes, where appropriate, bi-national vulnerability risk assessments that had been undertaken in the implementation of the 2002 Critical Infrastructure Protection Framework Agreement (CIP Agreement).

The U.S. Department of Homeland Security (DHS) leads the unified national effort to secure America by preventing, deterring, and responding to terrorist attacks and other hazards to the nation. As part of this mission, DHS has principal responsibility for securing U.S. critical infrastructure and key resources (CI/KR). DHS identifies seventeen sectors of CI/KR. The primary instrument for dam security is through the National Infrastructure Protection Plan (NIPP), an overarching blueprint designed to protect all seventeen CI/KR sectors. The NIPP is supplemented by seventeen sector-specific plans, designed to provide detailed guidance for securing each sector against terrorist attacks.

DHS has a primary responsibility for ensuring the security of the Dams Sector, which comprises dams, locks, and levees. To accomplish this task, the Risk Management Division (RMD) of DHS' Office of Infrastructure Protection is assigned the Dams Sector Specific Agency lead to work with key federal agencies; state, local and tribal governments; private sector dam owners and operators; and international partners. Under the framework of the Security and Prosperity Partnership of North America DHS's Risk Management Division has already conducted or participated in joint assessments for US-Canada cross border assets, where the initial focus has been on pipelines and related infrastructure. The Division reports that it plans to expand these activities to address dams and other water-resource related infrastructure.

In summary, it is the position of the Department of Environmental Services that, while HCR 21 heightens awareness of the importance of dam safety and security, much work has been accomplished and continues to be performed by federal and state government and the dam

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owners to improve the security of the state's northern dam network.

Thank you again for the opportunity to comment on this legislation. If you have any questions or need additional information, please contact Jim Gallagher at 271-1961 or me at 271-3449.

Sincerely,

  
Michael P. Nolin  
Commissioner

cc: Representative Bernard E. Buzzell